Message

From: Dave Hargett Ex. 6 Personal Privacy (PP)

Sent: 9/29/2021 11:14:22 PM

To: Famble, Alayna [famble.alayna@epa.gov]

Subject: Fwd: PRELIMINARY & CONFIDENTIAL: Results - EPA PA/SI Report - LCS

Hi Alayna, and thank you again for getting back to me today.

Below is the memo-to-self in which I am trying to capture and frame the results of the EPA PA/SI process on the Lake Conestee Site.

I have already met with several stakeholders confidentially and haven't shared this specific "take" on the report but folks ask questions..... especially with respect to 'what does this do for the prospect of getting funding for the dam?"

Take a look and we can discuss at your earliest convenience.

As we discussed, it is so critically important that the bottomline message must be that continued effective containment must be achieved, and that means the dam must be addressed.

I'm available anytime Thu or Mon.

I won't release this to anyone until you get me squared away, and the messaging is clear.

Many thanks,

Dave

Dave Hargett, Ph.D.

Ex. 6 Personal Privacy (PP)

----- Forwarded message -----

From: Dave Hargett | Ex. 6 Personal Privacy (PP)

Date: Wed, Sep 29, 2021 at 6:58 PM

Subject: PRELIMINARY & CONFIDENTIAL: Results - EPA PA/SI Report - LCS

To: Dave Hargett { Ex. 6 Personal Privacy (PP) }

This is a PRELIMINARY and CONFIDENTIAL summary of results of the EPA PA/SI effort on the Lake Conestee Site (LCS), as reported to me verbally by agency staff, and as I best understand without having seen the report. EPA's report has been filed and I have submitted a FOIA request for all relevant documents, analysis, and communications.

Background:

Based on a meeting with the EPA-R4 Administrator and R4 colleagues, and including senior management from SCDHEC in Dec 2018, and a letter petition by Hargett in Jan 2019, EPA authorized a PA/SI process under its CERCLA authority to assess whether conditions at the LC Site warranted consideration for the National Priority List of CERCLA sites.

EPA staff and contractors conducted the Preliminary Assessment (PA) in early 2020 and confirmed the Site to be a "large, complex, and serious site that will require perpetual care." EPA then tasked

SCDHEC with conducting a supplemental Site Investigation (SI) of the LCS, and to also assess potential sources of contamination upstream.

EPA will report:

- 1. EPA's PA/SI process confirmed concentrations of hazardous substances in the surficial sediments of the LCS have improved over the last 20 years as Reedy River sediments continue to naturally cap the deeper, more highly contaminated media.
- 2. EPA's technical protocols do not allow it to consider any data more than 5 years old. Hence, EPA did not consider the exhaustive data collected from 2000-2004, which was the basis at that time for SCDHEC's determination that the site was a "NPL-caliber" site. The original studies were the basis for development of the long-term care plan for the LCS, and for the Restrictive Covenant directing the perpetual management of the Site.
- 3. EPA has confirmed the current site remedy, as ratified under legal covenant between SCDHEC and the site owner in 2007, is working, thus far.
- 4. That remedy is comprised of: 1) containment of contaminated sediment through maintenance of the existing LC Dam (built in 1892); 2) minimizing disturbance of lake sediments; 3) natural capping of the lake sediments by accretion of 'cleaner' river sediments over time; and 4) protection of public safety through institutional and educational measures.
- 5. EPA has confirmed the "weak link" in the remedy is containment, which is completely dependent on the now 130-year old LC Dam.
- 6. EPA has also affirmed action must be taken to assure containment of the vast quantity of contaminated sediments residual in the former LC reservoir is effective, indefinitely, and that the existing dam, in Poor condition, must be rehabilitated or replaced. [Note: A SCDHEC-funded engineering feasibility study published in 2019 identified the only viable solution for containment long-term, and satisfying consensus design criteria, would be a new dam, coupled to the old.]
- 7. EPA cannot use its CERCLA authority or CERCLA resources to preemptively address a situation that is not a threat presently.
- 8. Investigative results of the PA/SI confirmed extensive levels of the same contaminants of concern found at the LC Site, are present throughout the urban/industrial reaches of the Reedy River upstream of the Site. At most of the locations sampled, concentrations of hazardous substances are above screening standards, and at several locations higher than at the LC Site.
- 9. EPA cannot address other upstream sources of contamination within the context of the present PA/SI for the LC Site.
- 10. EPA has completed its PA/SI project.
- 11. EPA has determined, based only on the data collected in 2020, that the LC Site does not warrant agency CERCLA action or NPL consideration at this time.
- 12. EPA will take No Further Action at this time, but may re-examine the LC Site situation when conditions change.